

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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CHARLES FRITSCHÉ,

Plaintiff,

v.

ROBERT LEGRAND, et al.,

Defendants.

Case No. 3:15-cv-00425-MMD-WGC

ORDER

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. On October 16, 2015, this Court granted petitioner's motion for counsel and appointed the Federal Public Defender to represent petitioner in this action (dkt. no. 4). On December 16, 2015, Jason Carr of the Federal Public Defender's Office appeared on behalf of petitioner (dkt. no. 9). The Court now sets a schedule for further proceedings in this action.

It is therefore ordered that counsel for petitioner meet with petitioner as soon as reasonably possible, if counsel has not already done so, to: (a) review the procedures applicable in cases under 28 U.S.C. § 2254; (b) discuss and explore with petitioner, as fully as possible, the potential grounds for habeas corpus relief in petitioner's case; and (c) advise petitioner that all possible grounds for habeas corpus relief must be raised at this time in this action and that the failure to do so will likely result in any omitted grounds being barred from future review.

It is further ordered that petitioner will have ninety (90) days from the date of this order to file and serve on respondents an amended petition for writ of habeas corpus, which shall include all known grounds for relief (both exhausted and unexhausted).

1 It is further ordered that respondents will have forty-five (45) days after service of
2 an amended petition within which to answer, or otherwise respond to, the amended
3 petition. If petitioner does not file an amended petition, respondents will have forty-five
4 (45) days from the date on which the amended petition is due within which to answer, or
5 otherwise respond to, petitioner's operative petition.

6 It is further ordered that, if and when respondents file an answer or other
7 responsive pleading, petitioner will have thirty (30) days after service of the answer or
8 responsive pleading to file and serve his response.

9 It is further ordered that any state court record exhibits filed by the parties herein
10 must be filed with an index of exhibits identifying the exhibits by number or letter. The
11 CM/ECF attachments that are filed must further be identified by the number or numbers
12 (or letter or letters) of the exhibits in the attachment.

13 It is further ordered that the parties send courtesy copies of all exhibits to the
14 Reno Division of this Court. While the Local Rules provide that parties should send
15 paper courtesy copies of filings over fifty pages, in this instance, courtesy copies may
16 be in paper form or as PDF documents saved to a CD—so long as each PDF is clearly
17 identified by exhibit number. Courtesy copies must be mailed to the Clerk of Court, 400
18 S. Virginia St., Reno, NV, 89501, and directed to the attention of "Staff Attorney" on the
19 outside of the mailing address label. Additionally, in the future, all parties must provide
20 courtesy copies of any additional exhibits submitted to the Court in this case, in the
21 manner described above.

22 It is further ordered that petitioner's motion to extend time to file notice of
23 representation (dkt. no. 8) is granted *nunc pro tunc*.

24 DATED THIS 18th day of December 2015.

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27 MIRANDA M. DU
28 UNITED STATES DISTRICT JUDGE